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Teamsters agree to new contract

From our wire services

WASHINGTON — The Teamsters union reached tentative agreement Tuesday night on a new contract with the trucking industry to end a 10-day nationwide strike that has laid off thousands of auto workers.

Chief federal mediator Wayne Horvitz said a tentative agreement has been reached and the selective strike and industry lockout will be terminated within 24 hours. In effect, he said, the tentative agreement suspends the strike-lockout pending ratification by the union members.

Horvitz said it has been "very tough bargaining" and through "enormous cooperative effort . . . and dedication . . . we came out

with a solution. We've all been under enormous pressure from inside and outside."

Horvitz said the tentative agreement is subject to ratification and "both parties are cognizant of this."

"We will await the outcome of the decision," he said.

Horvitz declined to comment on the terms of the contract or whether it fell within President Carter's 7 percent voluntary wage guideline, but other sources said the package could be squeezed into conformity.

The two sides reportedly ironed out all their economic differences, including a nettlesome problem involving a cost of living adjustment which had been a major reason for an earlier collapse in negotiations.

The 10-day lockout and strike, the longest national shutdown in trucking history, had not yet started to have a severe impact on the nation's economy, according to government officials. However, they had warned that layoffs and shortages would spread rapidly if the shutdown continued much longer.

Union and management negotiators had been meeting at the offices of the Federal Mediation and Conciliation Service with the participation of Horvitz, director of the service.

Horvitz said early Tuesday that the talks were at the "delicate stage."

Before the contract expired on March 31, the employers had offered a total compensation package which they said provided an increase of

more than 30 percent during the three-year contract period. Government officials said the offer was under 30 percent but said that the union's demand exceeded the wage guideline, even with the changes made by the government to accommodate an equitable settlement.

Average wages for the approximately 300,000 truck drivers and warehousemen covered by the master freight agreement are about \$9.50 an hour. Total compensation, including benefits, is put at \$12.65 an hour by the administration.

The shutdown of general commodity trucking traffic began shortly after midnight on the morning of April 1, when the old master freight agreement between the union and employers expired. The union called a selective strike

against, they said, 73 trucking companies.

Although many important commodities, such as fresh food, fuel and other goods, were not affected by the strike and lockout in the general commodity freight sector, some sectors of the economy, particularly automobile manufacturing, were immediately affected and layoffs of workers continued through the shutdown.

The bargaining over the master freight agreement, always a difficult process, was greatly complicated this time by the presence of the federal government as a de facto third party in the negotiations. Eager to ensure that the keymaster freight agreement fall within the president's wage standard, administration inflation fighters put pressure on union and management both publicly and in private.



Takin' it easy

Ron Farris and Garth Coleman give themselves and their dirt bikes a rest after exploring the trails at Finger Lakes State Park 10 miles

(16 kilometers) north of Columbia off U.S. 63 North.

Insight Misconception about fitness is prevalent

Americans traditionally have been a restless people — always searching for new ways to improve their lifestyle and themselves. This search for improvement has manifested itself in the exercise "crusade," a trend that is an outgrowth of the growing awareness of the body and a desire for physical fitness.

That trend has led to an increasing number of persons who exercise and such activity is now regarded as a kind of cure-all. Many people expect exercise to deliver better health, physical attractiveness and a longer lifespan.

Professor William Howard Taft of the University School of Journalism is one of many exercise enthusiasts. Taft says that since he started exercising — he walks a minimum of 100 miles (160 kilometers) per month — he feels better.

Taft also feels — although he says he has no proof of it — that his exercise program has added years to his life.

Dr. John Sanfelippo, a cardiologist at

This report on the value of exercise was written by Sandra Day, Bruce Allar, Lisa Stringfellow and Mike Stollbus of the Columbia Missourian's special reporting team on science.

the Truman Veterans Medical Center, says, "Exercise will make you feel better, but there's no evidence that it will increase your lifespan."

Benjamin Londeree of the University's physical education department says it generally is accepted that exercise does make a person physiologically younger, and, though it may not add years to your life, it can "put more life into your years."

Londeree says there has been a lot of speculation on how exercise may increase lifespan, but not much hard evidence.

The problem, according to Londeree, is that humans cannot be observed over an entire lifetime, so it is impossible to isolate which factors — exercise included — are contributing to longevity.

"I don't know whether anybody will ever do the definitive study (on exercise)," Londeree says.

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Columbia schools' asbestos level still cause of concern, EPA says

By Sheila Davis
Missourian staff writer

Columbia school board members breathed easily Monday night after hearing from a consultant that traces of asbestos in Columbia school ceilings should be of minimum concern to the district.

But a representative of the Environmental Protection Agency told the Columbia Missourian Tuesday that even the 2 to 3 percent asbestos content at some Columbia schools should cause concern.

Exposure to asbestos has been linked by researchers to cancer and to respiratory diseases.

The latest report from the Marshall and Brown architectural consulting firm of Kansas City, which shows five

schools with asbestos content in the ceiling plaster, contradicts a report completed by that firm last year. That report indicated that all Columbia schools were free of asbestos.

Jim Ritter, administrative assistant to the superintendent of Columbia Public Schools, said Tuesday the original report had been prepared by a different architect from the one now working with the Columbia schools, and that architect "no longer is employed by Marshall and Brown."

Bob Jarvis, a representative of Marshall and Brown, told school board members Monday night that the amount of asbestos is "low enough to cause no problem if the ceilings are firm, have all holes patched securely, and are preferably spray-painted."

But Bill Brinck of the EPA office in

Kansas City, listed as a consultant by Jarvis, told the Missourian that even the 2 to 3 percent asbestos content at those schools should cause concern since "any asbestos exposure could be considered unacceptable."

Recent EPA-approved tests of ceiling samples showed content of 2 to 3 percent and samples from a boiler room showed 80 percent asbestos content. Asbestos, a fire-proof material which meets most fire codes, is used as insulation and for acoustical purposes.

One method suggested to combat the problem, spray-painting, is not a sufficient seal for asbestos and may in fact cause delamination — a separation of the asbestos from the material to which it is bonded, Brinck said. If that hap-

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Supreme Court issues rebuke to local lawyer

By David Kraus
State capital bureau

JEFFERSON CITY — The Missouri Supreme Court Tuesday publicly reprimanded Columbia attorney David Bear III for erasing a tape-recorded interview and police interrogation of an assault suspect in 1972.

In the same decision, however, the court dismissed three other counts against Bear — two stemming from the assault case and a third concerning his delay in reporting a scheme to bribe a former Boone County Court judge.

Reached in Savannah, Ga., Bear refused to comment on the reprimand.

The court's decision to reprimand Bear coincided with a suggestion of a court-appointed "master" who investigated the matter in Columbia last July. An advisory committee of the Missouri Bar had asked the court to disbar Bear.

Bear's reprimand came as a result of an interrogation of Larry Lee at Columbia police headquarters on April 15, 1972. Lee had been picked up for questioning by police in connection with the shooting of a Stephens College coed 12 days earlier. Lee subsequently pleaded guilty to armed robbery.

According to testimony, Bear, who had been retained by the victim's father to assist her and to help police in their investigation, was at police headquarters when Lee was brought in. Lee was questioned privately by Detective Sgt. Robert Muse, who told Lee that Bear would help him.

After about 15 minutes, however, police learned that Lee was only 16 and therefore a juvenile, and that a juvenile officer must be present during questioning.

A juvenile officer was summoned, the questioning was repeated and Lee eventually signed a statement saying the gun had gone off accidentally.

However, a tape recorder had been on during the initial questioning period. Some time after Lee signed his statement, Bear erased the tape because he was "mad" about the statements made by Muse that Bear intended to help Lee.

Bear also said he erased the tape because Lee was a juvenile and that the

tape was "absolutely worthless."

In reprimanding Bear, the court's opinion — written by Judge Joseph J. Simeone — states that "whatever the motives, the fact is that (Bear) did intentionally erase the tape." Furthermore, the court says in its decision, while "the tape may well have proved to be inadmissible or 'worthless' in any subsequent proceeding . . . it was a 'statement' by the defendant (and) it was 'evidence' in a criminal proceeding."

The opinion goes on to say the statement "also may have contained . . . matter beneficial to Lee. The point is that in these special circumstances it was not (Bear's) . . . prerogative to make these determinations."

The court concluded that "we cannot condone this intentional erasure of the tape, and although not malicious, (Bear) . . . engaged in conduct in violation of the Code of Professional Responsibility by 'tampering' with 'evidence' in a criminal case."

Two of the three dismissed counts also were related to the Lee case. One concerned Bear's preparing a false "schedule of events" with several police officers which didn't mention the tape recording. The second stemmed from Bear's showing the victim a picture of Lee about an hour before she identified him as her assailant at a hearing.

Of the schedule of events, the Supreme Court said "there was not a preponderance of evidence to show that (Bear) . . . prepared the schedule of events to influence the witnesses to testify falsely."

The picture incident was dismissed, according to the decision, because the victim had requested the picture not for identification but to prepare herself for seeing him for the first time since the assault.

The fourth count dealt with a 1976 incident concerning a zoning decision before the Boone County Court. Bear was representing a client who wanted a 40-acre tract of land rezoned. The planning and zoning commission had

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Carter toughens stand on decontrol of oil

WASHINGTON (UPI) — President Carter said Tuesday the oil companies should be made to plow back into energy production all the profits they reap from price decontrol — including every cent not soaked up by his proposed windfall profit tax.

Raising the ante in his confrontation with the oil industry, he said he will fight for passage of an excess profits tax and expects to get it, but means to go even further to ensure his price decontrol decision is not "mocked by a wholly unjustified giveaway to the oil

companies."

At his first nationally televised Washington news conference in more than a month, the president said the oil companies will make an extra \$6 billion in new revenues over the next three years even if Congress does pass his proposal to tax away 50 percent of the windfall profits generated by the dismantling of federal price controls.

"The nation has a right to expect that all of this new revenue will be used to develop more oil and gas and not to develop timberlands or department

stores," he said.

Asked later how he could force the oil industry to plow its untaxed profits back into energy production, the president said, "I'd certainly favor either laws or administration action to create restraints" to achieve that goal.

In a wide-ranging news conference, Carter also:

— Said he expects "a (downward) turn very shortly in the inflationary trend," without any resort to mandatory wage-price controls, which he said he has no intention of seeking.

— Said he will soon appoint a presidential commission to investigate the causes of the Three Mile Island nuclear plant accident and recommend safety remedies, but also said the nation cannot turn away from nuclear power "in the foreseeable future."

— Said he sees "no immediate prospect" for a return to a compulsory military draft despite increasing criticism of the volunteer Army concept.

— Disassociated himself from recent

Senate efforts to reintroduce prayers into the public school system. "The Supreme Court has ruled on this issue and I don't think Congress should attempt to pass any legislation" on it, he said.

— Rejected as "absolutely and totally untrue" allegations that some bank loan funds received by the Carter family peanut business may have been channeled into his 1976 election campaign. He said he will cooperate fully with federal investigators probing those allegations.

Water 'bombing' results in fine

By Russ Vogel
Missourian staff writer

One night last October, Anthony Gambino was stopped beneath the Stephens College overpass on College Avenue when a water-filled balloon hit the top of his new \$6,000 car with a sound "like a bomb."

Gambino leaped from the car, raced up the walkway and grabbed one of three girls he found crouched there beside several more waterbombs.

Robert Jennings, who happened to be passing by, followed out of curiosity.

The two men told the rest of the story Tuesday in Municipal Court, where Gambino, 31, of 4643 N. Kirsten Lane, wound up facing a charge of assault.

Jennings said that, when he reached the walkway, he saw a man holding a woman "by the hair and with her arm bent behind her back." He went to her aid.

Gambino, assuming that he was part of the water-ballooning, went for

Jennings. Each later claimed that the other instigated the fight.

The two wrestled and fought down the steps of the walkway and into the middle of Broadway.

City Prosecutor Phil Morgan recommended that Judge Fred Dannov give Gambino "an incentive to not grab folks."

Dannov said, "I would rather we had here the young ladies who were on that bridge. It would be my druthers because, in my opinion, they're the ones

at fault.

"I do not fault you, Mr. Gambino, for getting out of the car and going up the stairs. I don't fault you a bit. But then Mr. Jennings appears. At this point, you, sir, lose control."

Dannov fined Gambino \$50, but he stayed \$40 provided Gambino has no further assault violations for six months.

"I do think we have the wrong defendants here. I do wish we had those three girls," Dannov concluded.

In town today

2 p.m. College baseball, Missouri vs. Missouri Western, Simmons Field.

7 p.m. Debate on "Humanism, Economics and the ERA," featuring STOP ERA leader Phyllis Schlafly and Karen DeCrow, past president of the National Organization for Women, Launer Auditorium, Columbia College.